

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: Repper, et al
Application No.: 09/884,828
Filing Date: June 18, 2001
Title: Electronic Gas Cooktop Control with
Simmer System and Method Thereof

Docket No.: 932-CAL
Date: July 6, 2005
Group Art Unit: 3749
Examiner: Sara Sachie Clarke
FAX No. 703 305-3463

**Petition under 37 CFR 1.313 and 1.17(h)
Request for Continuing Application under 37 CFR 1.114(a)(1)
Petition to consider an IDS under 37 CFR 1.97(b)**

Commissioner for Patents
PO Box 1450
Alexandria VA, 22313-1450

FAX RECEIVED

JUL 06 2005

Sir:

OFFICE OF PETITIONS

Applicant petitions to withdraw the application from issuance under 37 CFR 1.313(c)(2) and 1.17(h) for consideration of a request for continued examination (RCE) in compliance with Sec. 1.114(a)(1) and consideration of an Information Disclosure Statement (IDS). Enclosed is the RCE, the IDS, and the European Patent Application EP1058060 cited by the European Examiner in an office action dated November 16, 2004. Applicant requests that the IDS and the reference be considered as provided under 37 CFR 1.97(b)(4). Applicant is also enclosing the European search report.

A fee sheet and credit card payment form for the petition under 37 CFR 1.17(h) and for the RCE under 37 CFR 1.17(e) is attached. If there are any questions please call applicant's attorney at 802 864-1575.

CERTIFICATE OF MAILING

I hereby certify that, on the date shown below, this correspondence is being:

MAIL

deposited with the United States Postal Service
with sufficient postage as express mail in an
envelope addressed to:
Commissioner for Patents
PO Box 1450
Alexandria VA, 22313-1450

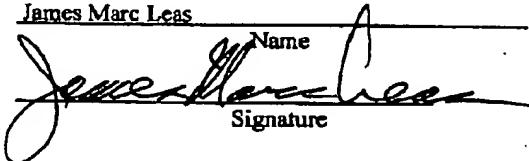
Date: 7/6/05

FACSIMILE

transmitted by facsimile to the Patent and
Trademark Office.

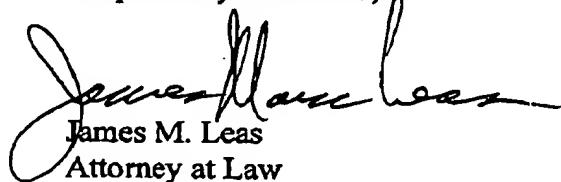
James Marc Leas

Name


Signature

Applicant reserves the right to request that the issue fee that was paid in this case be applied toward the issue fee when the case is allowed after consideration of the IDS.

Respectfully submitted,



James M. Leas

Attorney at Law

Registration Number 34,372

802 864-1575

Law Office of James M. Leas
37 Butler Drive
S. Burlington, Vermont 05403